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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,970	10/23/2003	Kazuhiro Ichikawa	Q78077	4728
72875 7590 07/10/2008 SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037				
EXAMINER ALMATRAHI, FARIS S				
ART UNIT 3627		PAPER NUMBER		
NOTIFICATION DATE 07/10/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
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Office Action Summary

Application No.

10/690,970

Applicant(s)

ICHIKAWA ET AL.

Examiner

FARIS ALMATRAHI

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.5-10 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1.5-10 and 14-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of the Application

1. This action is in reply to applicant amendment filed February 15, 2008.
2. Claims 1 and 10 have been amended.
3. Claims 2-4 and 11-13 have been cancelled.
4. Claims 1, 5-10, and 14-17 are pending in this application.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1, 5-10, and 14-17** are rejected under 35 U.S.C. 102(e) as being anticipated by Sato et al. (US Patent No. 7,158,946 B2).
7. Regarding claims 1 and 10, Sato discloses a system and method that manages accounting with respect to image formation by an image formation device, which uses a recording agent from a recording agent cartridge having a storage element to form an

image including letters and characters on a medium like paper, said accounting process method comprising the steps of:

- a. Acquiring accounting information, the accounting information including cartridge information which includes reuse information regarding reuse of a main body and components of said recording agent cartridge with regard to said recording agent cartridge, which is stored in the storage element of said recording agent cartridge, and image formation information with regard to image formation carried out by said image formation device with the recording agent from said recording agent cartridge (Abstract, Column 14 lines 8-35, Column 21 lines 39-53, Column 22 lines 24-35).
 - b. Computing a charge in such a manner as to lower the charge with an increase in frequency of reuse with regard to the main body of said recording agent cartridge or with an increase in number of reused components among all the components of said recording agent cartridge, based on the acquired cartridge information which includes reuse information and image formation information (Column 14 lines 8-35, Column 3 lines 13-24, Column 22 lines 5-35; cycle of reuse/recycle can be managed by the cartridge management system to adjust charge based on frequency and reuse).
8. Regarding claims 5 and 14, Sato discloses a system and method wherein the image formation information includes a numerical quantity of image formation, and said charge computation module computes the charge in such a manner as to lower the

charge with an increase in numerical quantity of image formation (Abstract, Column 21 lines 38-64).

9. Regarding claims 6-7 and 15, Sato discloses a system and method wherein said information acquisition module acquires the image formation information from the storage element of said recording agent cartridge (Figure 12, Column 6 lines 26-48).

10. Regarding claims 8 and 16, Sato discloses a system and method wherein said information acquisition module acquires the cartridge information and the image formation information, which are stored in the storage element of said recording agent cartridge attached to said image formation device, from said image formation device connecting with said accounting management apparatus via a communication line (Figure 10, Column 3 lines 54-56).

11. Regarding claims 9 and 17, Sato discloses a system and method wherein multiple recording agent cartridges are attached to said image formation device, and said charge computation module computes the charge, based on multiple pieces of the cartridge information acquired from respective storage elements of said multiple recording agent cartridges attached to said image formation device (Abstract, Figure 10, Column 3 lines 54-56, Claims 6 and 11).

Response to Arguments

12. Applicant's arguments filed on February 15, 2008 have been fully considered but they are not persuasive

13. Regarding Applicants arguments that *Sato fails to teach computing a charge in such a manner as to lower the charge with an increase in frequency of reuse with regard to the main body of said recording agent cartridge or with an increase in number of reused components among all the components of said recording agent cartridge.*

Examiner takes into account broadest interpretation of the recited limitation in the instant application. Sato discloses managing devices in the cartridge management system to include providing discounts for users with increased usage (Column 6 lines 10-14). Sato further discloses, in Column 22 lines 5-35, cycle of reuse/recycle which can be managed by the cartridge management system to adjust charge based on frequency and reuse.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571)270-3326. The examiner can normally be reached on Monday to Friday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627

/Faris Almatrahi/
Examiner, Art Unit 3627

FA